

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55852 of 2018

Arising Out of PS. Case No.-4 Year-2011 Thana- C.B.I CASE District- Patna

Ashish Mourya, Son of Dr. Madan Mohan Kumar, Resident of Sector-4D,
Quarter no. 2194, P.O. + P.S.- Sector-4 Bokaro Steel City, Bokaro.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, CBI/ EOU-II (EO-1) New Delhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, S.C., C.B.I.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 25-10-2018 Heard learned counsel for the petitioner as well as
learned counsel for the C.B.I. and learned APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 120(B),
419, 420, 464, 468 and 471 of the Indian Penal Code.

Some other candidate appeared in the examination
impersonating himself as the petitioner. Allegation is that entire
conspiracy was with the help of the petitioner.

Submission of the learned counsel for the petitioner
is that the offence of cheating by impersonation is bailable one
and no other offence is made out in the facts and circumstances
of the case. Moreover, some other co-accused have been
allowed anticipatory bail by this Court in Criminal



Miscellaneous No.61079 of 2018 and Criminal Miscellaneous No.53864 of 2018.

Learned counsel for the C.B.I. submits that the C.B.I. would file counter affidavit in this case. Moreover, in Criminal Miscellaneous No.54352 of 2018, this Court has ordered for no coercive steps against the petitioner of that case i.e. *Satyendra Narayan Singh* as well as for analogues hearing of the said criminal miscellaneous petition along with Criminal Miscellaneous No.51464 of 2018, wherein case diary has been called for.

Considering the entire facts aforesaid, especially grant of anticipatory bail to similarly situated co-accused, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Case No.CBI/EO-1/2011, RC 219 2011 E 0004, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the



court below shall be at liberty to cancel the bail bond of the
petitioner.

(Birendra Kumar, J)

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